

REMARKS

Claim 2 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 2, lines 4-5, the phrase "copolymer and/or terpolymer resin consisting of butane, hexane and or octane in feedstocks" constitute new matter because the specification as originally filed does not provide support for the copolymer and/or terpolymer consisting of butane, hexane and/or octane in feedstocks. The original specification provides support for the copolymer and/or terpolymer consisting of butane, hexane and/or octane in feedstocks. The original specification provides support for the copolymer and/or terpolymer consisting of butane, hexane and/or octane with ethylene in feedstock.

Applicant has amended the claim accordingly.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Dethlefs et al (U.S. Patent 4,935,298).

Dethlefs et al disclose a paper coated on one side (i.e. back side) with a mixture of 60 wt% low-density polyethylene and 40 wt% linear low density polyethylene wherein the linear low density polyethylene is a copolymer of ethylene (99 mol%) and octane (1 mol%) (Col. 6, lines 45-54). Thus Dethlefs et al's paper coated on one side prior to coating other side (i.e. front side) meets

claimed paper having layer of a copolymer of ethylene with octane and low-density polyethylene. The invention as claimed is an open language and inclusive of other layers, such as front layer, and/or other polymer and/or pigment such as low density polyethylene, titanium dioxide etc. The invention as claimed is a closed language only for the composition of copolymer and/or terpolymer made of recited monomers only.

Applicant has amended Claims 1 and 2 to change the "consisting essentially of" language to "consisting of". Therefore, the open language described in Dethlefs above by the Examiner goes beyond the scope of the claim. Therefore, Claims 1 and 2 are not anticipated or obvious over Dethlefs.

Claims 1 and 2 stand rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kittrell et al (U.S. Patent 5,196,269) with, as evidence, Eichbauer (U.S. Patent 5,922,441) and Ramesh et al (U.S. Patent 6,586,026 B1) for the reasons of record set forth in paragraph 7 of the Office Action mailed August 2, 2005 (Paper Number 20050625). Furthermore, the invention as claimed is inclusive of additional layer(s), such as skin layer (10), which does not affect novel feature of the claimed invention. The invention as claimed is a closed language only for the composition of copolymer and/or terpolymer made of recited monomers only.

Applicant's arguments filed February 02, 2006 have been fully considered but they are not persuasive. In reference to rejection of claims 1 and 2 rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C.

103(a) as obvious over Kittrell et al (U.S. Patent 5,196,269) with, as evidence, Eichbauer (U.S. Patent 5,922,441) and Ramesh et al (U.S. Patent 6,586,026 B1) that as stated by the Examiner, Kittrell contains other resins which are outside of this group in their coatings, and therefore, does not read on the claims of the current invention.

These arguments are not persuasive because the invention as claimed is only closed language for the composition of copolymer and/or terpolymer made of recited monomers only. However the layer of copolymer and/or terpolymer is inclusive of other components not recited in the claim. The transitional phrase "consisting essentially of" limits the scope of a claim to the specified materials or steps "and those that do not materially affect the basic and novel characteristic(s)" of the claimed invention (see MPEP 2111.03). There is nothing on record showing that Kittrell et al's skin layer(10) affects the basic and novel characteristic(s) of the claimed invention.

Applicant has amended Claims 1 and 2 to change the "consisting essentially of" language to "consisting of". Therefore, the open language described in the above prior art by the Examiner goes beyond the scope of the claims. Therefore, Claims 1 and 2 are not anticipated or obvious over the above prior art.

Applicant believes the application is now in condition for allowance.

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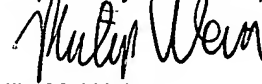
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Signature:

Name: Debbie Broderick

Respectfully submitted,



Philip M. Weiss

Reg. No. 34,751

Attorney for Applicant

Weiss & Weiss

300 Old Country Rd., Ste. 251

Mineola, NY 11501

(516) 739-1500